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Rutherford - Speech - 1860

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S P E E C H

OF

JOHN C. RUTHERFOORD,

OF GOOCHLAND,

IN THE HOUSE OF DELEGATES OF VIRGINIA,

21 February, 1860,

IN FAVOR OF THE PROPOSED

CONFERENCE OF SOUTHERN STATES.

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S P E E C H .

Mr. RUTHERFOORD said that the bill before the House was one of those measures suggested by the wrongs we had suffered from the North ; and the gentleman from Culpeper (Mr. Barbour), in the able argument by which he had opened this debate, had expressed his views as to the general line of policy which Virginia should pursue towards the Northern States in this important crisis of her history. It was well that the debate should have been opened in all this latitude ; and that we should, upon earnest deliberation, with the light of full discussion, decide what scheme or system of measures was demanded by the honor and interests of our State, now, at a trying hour, confided to our keeping. There were two great objects to be held in view :—first, to secure our rights in the Union ; and next, failing in this, to prepare for the exigencies of an independent existence. The measure before us looks to both of these objects ; but, as to both, is greatly dependent for its effect upon auxiliary measures, and upon the co-operation of other slaveholding States. I shall vote for it simply as a part of our policy. It is a denial of State comity, it is true, but to States that have denied it to Virginia. Though against the laws of political economy, it is justified by the law of retaliation for wrongs. If it fall heavily at first upon our own State, yet a people who have just asked for arms in their hands and taxes to pay for them, will not murmur at sacrifices required for the vindication of their rights. It is, moreover, one of a class of measures designed to give us a direct foreign trade, and to break the bonds of our commercial and financial vassalage to the people who have wronged and assailed us.

But the gentleman from Culpeper has argued as though the bill before us would alone accomplish the objects we both have in view, and has spoken at length against the proposed Conference of Southern States—a measure, in my judg-

ment, the most important of all the auxiliary measures which have been proposed for the maintenance of our rights. I wish, therefore, to reply only to so much of what he has said in favor of his bill as makes it an argument against the Conference, and presents it as an alternative proposition or antagonistic policy.

If we profit by the lessons of history to which he has himself made reference, we will not rely upon commercial restrictions alone for the redress of our wrongs. To show the power of such restrictions, he has referred us, first, to the repeal of the Stamp Act, which he attributes to the effect of American non-intercourse agreements in 1765 upon the trading classes of England.

But, sir, history does not authorise us to say that the repeal of the Stamp Act was the effect of commercial non-intercourse with the Colonies upon the trading classes of Great Britain. In fact, though there was some interruption of trade, there had been then no commercial non-intercourse. There had been only one non-importation agreement—that of the New York merchants—which was entered into at too late a day for its effects to have been felt in England before the repeal of the Stamp Act. It is true that the trading interests of England desired the repeal of the Stamp Act; but not alone the trading interests. The united resistance of the American Colonies had caused the people and Parliament of England to see that they could only enforce the Stamp Act by shedding the blood of their countrymen. For the people of the Colonies rose in arms against it. They seized the Stamp papers and burned them; they tore down and sacked the houses of the stamp masters; and everywhere, either through patriotism or compulsion, the stamp officers resigned. The Stamp Act could be executed nowhere; and to attempt its enforcement, with hope of success, a British army was needed and a civil war to be commenced. In 1765, the people of the Colonies did not rely upon non-importation agreements, nor did they act singly and apart. If we do as they did, we will go to the Conference to which we have been invited. For they met in October, 1765, in the first American Conference; and no disunion followed their meeting; but in five months came across the waters joyous tidings of the repeal of that iniquitous act which had brought them in council together. Within one year from the time when the Stamp Act passed, with no opposition, in one house of Parliament, and very little in the other, the repeal of the same act was greeted in England, as well as America, with the ringing of bells, with bonfires and illuminations. And

why? Not simply because trade was interrupted, but because the American Colonies were banded together like one man to resist it to the death; and repeal or war was the alternative.

Subsequently, there was a trial and failure of the non-intercourse policy. When Parliament again taxed the Colonies, they united in a stringent scheme of non-importation, devised by Washington himself. This was in May, 1769; and in July, 1770, says Brancroft, "Canada, Carolina and Georgia, and even Maryland and Virginia, had increased their importations, and New England and Pennsylvania had imported nearly one-half as much as usual. New York alone had been true to its engagement; and its imports had fallen off five parts in six." But the merchants of New York were the first to rescind the agreement, and in July, 1770, the trade between America and England was again open in everything but tea. Lord North had been persuaded, says the historian, that these associations for non-importation, would fall asunder of themselves, and had so far reasoned correctly.

Sir, in this trying period of American history to which we have been referred, between the passage and repeal of the Stamp Act, in this, our first battle for our rights, there was, in nothing else, such unanimity among the great men who led the struggle, as in the firm conviction that the union of the Colonies in counsel and in action was indispensable to their safety. "Nothing will save us," wrote Gadsden, of South Carolina, "but acting together; the province that endeavors to act separately must fall with the rest and be branded, besides, with everlasting infamy." "If the Colonies do not now unite," was the message received from Dyer, of Connecticut, who was then in England, "they may bid farewell to liberty, burn their charters, and make the best of thralldom." "*Join or die*," says Brancroft, "became more and more their motto." "It is the joy of thousands," writes Stephen Johnson in the *New London Gazette*, "that there is union and concurrence in a general Congress."

Now, when we are asked in an hour of similar peril to our rights, to refuse South Carolina's invitation to a Conference, the history of this General Congress or Conference, of 1765, the first ever held in our country, and of the part which South Carolina played in it, may not be without interest and instruction. In giving his account of this Congress, the Massachusetts historian heads a chapter with a title that may sound strangely to the ears of some who have been accustomed to look upon South Carolina only as the enemy of

the Union. It is in these words; "*South Carolina founds the American Union.*" In May, 1765, Massachusetts had, at the instance of Otis, invited a conference of the Colonies, as South Carolina now invites a conference of the slaveholding States. But the Tories sneered at the proposal as visionary and impracticable. The Legislature of New Jersey unanimously declined the invitation of Massachusetts. The Assembly of New Hampshire failed to respond to it. "Virginia," says Bancroft, "was ready to convince the world that her people were firm and unanimous in the cause of liberty; but its newly elected Assembly were not suffered by Fauquier to come together. * * * The great measure was in peril, and its failure would make of American resistance a mockery." But far away, he says, towards the lands of the sun, the Assembly of South Carolina was in session. After two Legislatures had held back, South Carolina pronounced for union. Though at the extreme end, and one of the weakest as well internally as externally, South Carolina was the first to listen to the call of Massachusetts in the hour of her peril and distress. And the Massachusetts historian goes on to utter these remarkable words: "As the united American people spread through the vast expanse over which their jurisdiction now extends, be it remembered that the blessing of union is due to the warm-heartedness of South Carolina. She was all alive and full at every pore."

In this first American Congress, which, we are told, would not have met if it had not been for the "warm-heartedness" of South Carolina, we learn from the same northern testimony that her Ratledge, and Gadaden, and Lynch, were the "first at the place of meeting;" that "no colony was better represented;" that "her delegation gave a chief to two of the three great committees, and in all that was well done her mind visibly appeared." And what was the result of this first Congress or Conference in which South Carolina played so distinguished a part? That the Colonies became, as it was expressed in the papers signed by the delegates, "a bundle of sticks, which could neither be bent nor broken;" and the proceedings of the Congress were everywhere approved and adopted; so that even in New Jersey, where the Assembly had at first unanimously declined the invitation of Massachusetts, a distinguished delegate to the Congress, who refused to sign the proceedings, was disavowed by his constituents.

I submit, then, that there is nothing in the history of the Stamp Act and its repeal which warrants us to rely upon non-intercourse alone for the redress of our wrongs;

nothing in the history of the Conference of 1765, which should render us distrustful of the Conference of 1860, or of the noble State which proposes it.

The next lesson of history to which we were invited, was in the effect of our non-intercourse policy, in the war of 1812, upon the manufacturing population of England: and the general distress in the manufacturing districts of Great Britain in 1811, was attributed to the non-importation acts of the United States. But however keenly our non-intercourse policy may have been felt, there were other causes for this distress in the manufacturing districts. Among them, and mentioned by Allison himself, the authority which has been quoted, were the continental system of Napoleon, to which, says Allison, his panegyrists ascribed the whole; the great improvements in manufacturing machinery; the confiscation of a fleet of three hundred merchantmen in the Baltic in 1810, having goods on board to an immense amount; the deficient harvests of 1810 and 1811; and the drain of specie from the vast expenditure and boundless necessities of the continental war. It is true that England suffered from our embargo and non-importation acts, but we ourselves suffered more severely; and the non-intercourse policy of that day was an error and a failure. The result was the utter disappointment of those who relied on temporizing measures, and believed that the commercial restrictions of the United States would induce Great Britain to rescind her illegal orders. Our unexampled forbearance led only to new indignities and injuries. Our moderation and conciliation, said Mr. Madison, tended only "to encourage perseverance and enlarge pretensions. "On the side of Great Britain," he said, there was "a state of war against the United States; and on the side of the United States, a state of peace towards Great Britain." When, at last, after many years of tame endurance of wrong—of vain and ruinous expedients to escape the freebooting of England, Mr. Calhoun prepared the celebrated war report of 1812, he was constrained to begin it with the painful avowal that it was more difficult to justify our past forbearance than our present purpose to vindicate by war the rights of the nation. And our own historian, Mr. Tucker, in view of our submissive policy under the continued hostile aggressions of England for more than seven years, is led unwillingly to this reflection: "In short," he says, "it seems to be with nations as individuals, that, to secure the respect of others, it is not enough to refrain from injustice, but they must also show that they will not tamely bear it. Had the United States shown a determination to

resist by force the first undoubted violation of right, force had not been necessary."

Sir, had the counsels of South Carolina then prevailed, this humiliating page of our history would never have been written. "There was an ardent, energetic band," says Tucker, "who thought that the honor of their country required it to go to war, unprepared as it was, rather than longer submit to the domineering of England, which, moreover, seemed to increase with American forbearance. There were Mr. Clay, the Speaker, Mr. Porter, of New York, Mr. Grundy, of Tennessee, and Cheves, Calhoun and Lowndes, of South Carolina, a triumvirate which, for talents and weight of character, no delegation has probably ever equalled."

I submit, again, that the second period of our history to which we have been referred, encourages us, no more than the first, to rely only upon non-intercourse with our assailants for the restitution of our rights. We learn from both—what, indeed, all history teaches—that, in the trying crises of a people's history, wisdom and honor point to the same path and speak with the same voice; that the greatest safety is in resisting wrong; the greatest danger—in enduring it. In 1765, we have an example to be imitated; in 1812, a lesson to be remembered. And I have dwelt the longer upon these historical references, because it seemed to me that by going back and taking counsel with the patriots of 1765, and seeing the course they pursued in the presence of a danger not so great as now hangs over Virginia, we might, if we failed to imbibe their spirit, yet better attune our minds and hearts to our solemn responsibilities. I wished also to show that if South Carolina is now among the foremost in moving to right our wrongs, she is, in this, but true to her ancient character; for so was she among the foremost in our first and second wars of independence; and then, as now, her gallantry and self-reliance were called rashness and folly. How, let me ask, has the charge been sustained by the verdict of history?

But we have been told that there was no need of a Conference, because we were warranted in believing, on the authority of the fathers of the Constitution, that an adequate remedy for our wrongs was to be found in the exercise by the separate State Governments of the powers reserved to them; and the gentleman from Culpeper has read, in support of this proposition, a passage from the Federalist, written by Alexander Hamilton. This is the passage: "It may safely be received as an axiom in our political system, that the State Governments will, in all possible contingencies,

afford ample security against invasion of the people's liberty by the national authority. Projects of usurpation cannot be masked under pretences so likely to escape the penetration of select bodies of men as of the people at large. The legislatures will have better means of information ; they can discover the danger at a distance ; and possessing all the organs of civil power, and the confidence of the people, they can at once adopt a regular plan of opposition, in which they can combine all the resources of the community. They can readily communicate with each other in the different states, and unite their common forces for the protection of their common liberty." It is to be found at the end of a series of articles replying to the objection to the Constitution that it authorized the Federal Government to keep up standing armies in time of peace. The writer is considering simply the question of a division of power between the Federal Government, on the one hand, and the State Governments on the other, and argues that the latter will be in no danger from the military force of the former. On the same page, he says: "Power being almost always the rival of power, the General Government will, at all times, stand ready to check the usurpations of the State Governments, and these will have the same disposition towards the General Government." But what does Hamilton, himself, recommend in the very passage which has been quoted, in the event of encroachments by the national authority upon the rights of the State Governments? Isolated State action? No. But the adoption by the State Governments of "a regular *plan* of opposition in which they can combine all the resources of the community"—the union of "their common forces for the protection of their common liberty."

But the conflict now is not between the State Governments and the Federal Government, but one never anticipated by Hamilton. For he argues in a subsequent number of the *Federalist*, that, under the proposed Federal Republic of the United States, "society itself will be broken into so many parts, interests and classes of citizens, that the rights of individuals of the minority will be in little danger from interested combinations of the majority ;" and that, "among the great varieties of interests, parties and sects, which it embraces, a coalition of the majority of the whole society could seldom take place upon any other principles than those of justice and the general good;" and he uses the following language: "In a society, under the forms of which the stronger faction can readily unite and oppress the weaker,

anarchy may as truly be said to reign as in a state of nature, where the weaker individual is not secured against the violence of the stronger." Yet this "interested combination" of the majority upon principles of hostility to the rights of the minority, this deadly "coalition" of the "stronger faction" to "oppress the weaker," against which the latter can have no better protection than under the reign of anarchy or in a state of nature, is the very evil which hangs over us.

The framers of the Constitution thought there would be tendency to conflict between the larger and smaller States, and provided against it. They did not see, wise and prescient as they were, that the conflict would really be between sections, and that the provisions needed were not to prevent the larger states from oppressing the weaker. They anticipated conflict between the Federal and State governments; but the antagonism proves to be not between the Federal government on the one hand and all the State governments on the other, as was supposed, but between the minority of the states on the one side, and the Federal government, leagued with a majority of the states, on the other side. Sir, it is by the State governments themselves that the hardest blows have been dealt us. The report recently made to this house by the Harper's Ferry committee, shows that the legislatures of fourteen Northern states have enacted laws, to use the language of the report, "in a spirit of hostility to the institutions of the South," and "for the avowed purpose of rendering nugatory some of the express covenants of the Constitution of the United States." Thus the "reserved powers" relied upon for our protection have, by a distorted construction, been used for the purpose of assailing us. If Hamilton thought it necessary, in the event of encroachments by the Federal government upon the rights of the State governments, that the latter should form "a regular plan of opposition in which they could combine all the resources of the community" and "unite their common forces for the protection of their common liberty," how much more urgent would have been the necessity, in his opinion, for such "regular plan of opposition" by a minority of the State governments against the hostile array of Federal and State governments combined? And what is the proposed Conference but the simplest and most appropriate means to obtain some "plan of opposition" for that minority of states whose rights and institutions are endangered by so formidable a combination?

Let me proceed, now, to the main argument against the

Conference—that it is mischievous as well as unnecessary—a measure of disunion and the scheme of disunionists. I wish to show, on the contrary, that its tendency, if Virginia accede to it, will be to save the Republic, should it be possible to do so, by restoring the equal union of our fathers.

All concede that the Union is in danger; but the cause of that danger is to be found, not in the South, but in the North. It proceeds from the combined operation of two causes: the hostile sentiment of the Northern States and their political preponderance in the government. If it were not for that hostile sentiment, the preponderance of the North in the federal government would not be dangerous to our institutions; and if the original equilibrium between the two sections had never been disturbed, the South would still have the power of protecting itself against that hostile sentiment through the action of the government. There are two modes, then, by which the danger to the Union may be averted; one, by a change of Northern sentiment; and the other, by restoring to the South the power of protecting itself in the government. The latter could only be effected by restoring the equilibrium between the sections which existed when the Constitution was adopted, or by additional constitutional guarantees. But that equilibrium is hopelessly lost, and the additional constitutional guarantees could only be obtained through an amendment of the Constitution, requiring a concession from the Northern States not to be expected while Northern sentiment continues hostile to our rights. It is, therefore, to the first mode of averting the danger—to a change in the public opinion of the North—that we must look for safety and the security of our rights in the Union.

In the nineteenth century, it is public opinion that is king, making and unmaking the laws or setting them at naught; ruling at the council board, on the judgment seat, in the jury box; and sweeping away whatever it opposes, whether it be the compromises of politicians or the compacts of a constitution. If, therefore, Northern public opinion were already fatally imbued in all its parts, with a spirit of active and fanatical hostility to the institution of slavery, I should regard the Union as even now dissolved in fact, if not in form. A common government could not long bind those together whom insults, injuries and mutual hatred had already disunited and divided into two hostile nations. But the whole Northern mind is not yet pervaded by this spirit of active and fanatical hostility to slavery. Let us see, then, how far

the disease has gone—whether there is hope of cure, and if so, by what means.

Certainly, it has already reached an alarming extent. Out of this anti-slavery sentiment of the North have grown those aggressions upon our rights, the story of which is now so familiar to our ears; the nullification of a constitutional compact for the security of our property; the denial of our equal rights in the territories; the insecurity of our property in the states; the unfriendly action of the federal government; the hostile legislation of Northern states, and even the bloody invasion of our soil. It is this anti-slavery sentiment which has severed, between the sections, the bonds of party and of religion, and threatens now to close the channels of trade and sever the bonds of interest, which has honored, with high office, admirers of Brown and endorsers of Helper; and which has even driven, by hundreds, true-hearted sons of the South from Northern seminaries of learning. Such are some of the symptoms of the evil we would reach; such are some of the evidences and results of the hostile sentiment of the North; and for more than twenty years this sentiment has been yearly growing more and more powerful; its steady growth has never, for a moment, stopped or abated, and, if not arrested, must inevitably destroy our Republic. Here lies the danger of disunion—not in South Carolina or Mississippi, or in the Conference they propose for the protection and defence of our invaded rights.

But the elements of mischief in the Northern mind now gather to a head. The danger has assumed, at last, a distinct and imposing form, which comes close upon us with menacing aspect. A sectional political party has been the natural fruit of the anti-slavery sentiment—a party having no existence outside of the limits of the non-slaveholding states; whose only bond of cohesion is a principle of hostility to slavery, whose measures and policy are directed towards its ultimate extinction, wherever it exists, and the teachings of whose leaders have already led to the invasion of our state and murder of our citizens. In 1856, they were strong enough to carry eleven out of sixteen non-slaveholding states, and to secure 114 out of 179 Northern electoral votes. Then, the North had a majority of 62 votes in the electoral college. In 1860, that majority, through the admission of Minnesota and Oregon, will be increased to 69, and still further increased, should Kansas be admitted as a State during the present session of Congress. Yet,

strong as they were in 1856, the elections since then in the Northern States indicate the increased and increasing strength of this sectional party. They have now the majority and control the organization of the popular branch of the Federal Legislature; and it requires no great gain on their vote of 1856 to elect their candidate to the Presidency in 1860, and thus give them eventually the entire control of the Federal Government in all its departments. Can any one doubt that their success would end in disunion? Would the people of one section submit to be governed by the people of another section? Of what avail to us would be our representatives in Congress when, upon all questions affecting our peculiar interests, their voice would be overruled by the vote of a banded majority, hostile to our rights? Such representation in the British Parliament was an offered compromise, declined by our revolutionary fathers on the ground that it was but a mockery of representation, because the majority of the Parliament, making laws for the Colonies, would neither feel them themselves, nor be amenable to those who did. They would not allow themselves to be taxed by a friendly government in which they had no adequate safeguard against oppression. Could we be expected to allow a hostile government, in which we would be equally powerless, not only to tax us, but to throw the whole weight and patronage of all its departments against a cherished domestic institution, upon the preservation and security of which depend the peace and happiness of both races in the South? Such a rule of one section by the other would be no better, thought Hamilton, than anarchy itself; and, as far back as 1820, Jefferson, perceiving the danger in its first approach, believed it would be the knell of the Union when it came. It is probable that the election to the Presidency of Seward, or of any propagandist of his "higher law" and "irrepressible conflict" doctrines, would produce immediate dissolution. To secede from the Confederacy in such event, seems to be the fixed purpose of some of the slaveholding States. But even should a Black Republican administration be submitted to, in the beginning, by the South, how long would it be possible for a high-spirited people to continue in such vassalage? Would fanaticism content itself with a first victory when just beginning its campaign? If we waited for other "overt acts of aggression," we would not have long to wait. Our rulers could retain and consolidate their power only by maintaining and strengthening their sectional organization; and this could only be done by keeping alive

the elements of sectional strife and excitement. How idle, indeed, to expect that a great popular movement, impelled by the love of political power and the fanaticism of religious enthusiasm—a movement which, for a quarter of a century, has steadily advanced and never receded—should stay its course and turn backward, in the very hour of victory, when in view of its goal and almost in reach of its objects! But what need would there be for the Black Republican rulers to violate any of the forms of the Constitution for the purpose of carrying their destructive programme into execution? Having possession of the Federal Government, they would claim for it,—what, perhaps, a majority in the country concede to it—the right to decide as to the extent of its powers, as well as the right to resort to force to maintain the powers asserted. Of what avail to the South against such a government, in such hands, would be the paper limitations of the Constitution? Our own past history already tells us how insidious construction may undermine a written constitution. Constructive powers, thought John Taylor, of Caroline, did more harm than constructive treasons; for, while the last took away the life of an individual, the first destroyed the liberty of a nation. Under a Black Republican administration, we would have, at once, directed against the institution of slavery, an army of constructive powers supported by the army and navy of the United States. But the Constitution does, in fact, confer upon Congress and the Executive immense powers for mischief, if mischievously wielded by our enemies; and liberty, we know, may be no less endangered by the abuse than by the usurpation of power. George Mason thought that it would be in the constitutional power of Congress to lay such taxation upon slaves as would, of itself, bring about manumission. If, however, the paper limitations of the Constitution, should, indeed, form a barrier to the designs of the Black Republican party, it would not be long before they would constitutionally remove these paper limitations from their path. The admission of a few more free States would enable them to abolish slavery in Virginia under the forms of an *amended* Constitution; and, in the meantime, a more than imperial patronage, vast disbursements, and almost boundless means of influence, purchase and corruption would be added to all the existing appliances of abolition, to weaken the foundations of the institution and raise up enemies against it in the South itself.

The possession of the Federal Government, therefore, by

the Black Republican party would, sooner or later, compel the South to choose between disunion and an evil so infinitely greater as to leave no room for doubt as to the choice.

We see, then, the extent and character of the danger to the Union which has grown out of the anti-slavery sentiment of the North; and that the form in which that danger is nearest and most immediate, is in the now probable event of a Black Republican triumph at the next Presidential election.

The next question is whether there is any mode by which this danger can be permanently averted—whether the evil admits of a cure.

Certainly, the first thing to be done is to ward off the immediate danger; but this will be wholly unavailing, unless we can close the source from which that danger has sprung. It has been truly said in this debate that to save the next Presidential election against the Black Republican candidate would be no remedy for our wrongs; that we have sustained them under Whig and Democratic administrations. The defeat of the Black Republicans is important—not to restore safety, but to prevent a catastrophe of destruction; not to give health to the sufferer, but temporary respite from symptoms of death. Defeat and disbandment of the Black Republican organization, without change of Northern sentiment in our favor, would be followed only by the rise of other organizations with other delusive names, equally hostile to our rights and dangerous to our peace. But, if we can ward off the immediate danger by acting on its primary cause; if we can defeat the Black Republicans in the next Presidential election, and break to pieces their sectional organization, by influencing public opinion in the North, then we may reasonably hope to be able to do more and more by the same means, until, in the Union, we regain our equality and recover our rights.

But can we thus influence public sentiment in the North? When we look at the unhappy effects, referred to just now, which it has already produced, the undertaking would seem hopeless; but, when we examine the elements of which this sentiment is composed, the prospect is less gloomy. While, with hardly an exception, the whole Northern mind is imbued with an anti-slavery feeling, yet the element of fanatical and active hostility to slavery, wherever it exists, upon the ground that it is a sin and a crime, is still numerically small in comparison with the other elements. It is true that it is this infusion of fanaticism which has worked the evil;

which has clouded the past, and which now darkens the future. I would not under estimate its power. One man, deemed mad at first, raised, in England, the voice of fanaticism against slavery and the slave trade; and, in the lifetime of that man, an institution which had been fostered by the British Government, for more than a century, toppled to the ground. The Government which had fostered it was compelled to demolish it; and the complete emancipation of 800,000 slaves in the British West India Islands was the final result of a movement of fanatics, derided and laughed at in the beginning. So, from contemptible beginnings, has the anti-slavery fanaticism of the North been steadily advancing, until in less than a quarter of a century, it now convulses a nation of thirty millions of people, and hangs, as a dark cloud, over the future of a great Republic. But the anti-slavery fanatics are still in a minority at the North. How, then, have they attained their power, and how do they hold it? Mainly, I answer, through the momentum imparted by their superior activity; by means like those which gave the government of France to the Jacobins of Paris; by the sway which a minority, violent, uncompromising and sleeplessly working, never fails to exercise, sooner or later, over the lifeless mass of a dormant majority. Could that large majority of the North, who passively disapprove the course of the anti-slavery fanatics, be aroused from their lethargy, and actively enlisted in the cause of the Constitution, the forces of Northern fanaticism would be broken, never again to rally; Abolitionism would be thrown back to waste itself at home in all those destructive *isms* of the North from which it sprang, and which have united their turbid streams to form the dark tide that surges against our borders. But how can we enlist this hitherto dormant majority to do battle for the Constitution and Union against the assaults of fanaticism? How, first, shall we thus enlist Northern allies enough to defeat, in the impending struggle for the possession of the government, that sectional party, whose triumph, there is so much reason to fear, would be a fatal termination of the contest?

Let us enquire, then, into the composition of Northern sentiment. The Black Republican party is composed of several distinct elements; of fanatics of the school of Garrison and Abby Folsom; of politicians and office-seekers, and of masses of the people, thoughtlessly following the majority, or falling into the Black Republican ranks, under the influence of anti-slavery prejudices, deceived as to the ulterior

purposes of their leaders, and ignorant of the dangerous tendencies of a purely sectional organization. But the restless spirit of fanaticism, subsidizing an army of place-seekers, is the life-giving principle which animates the whole. Religious hatred of slavery and religious love of the spoils, have leagued together in close embrace, and each, for its own ends, makes use of the other. These are the two allied principles which command the Black Republican forces—which organize and direct to their fatal objects the unthinking and deluded masses of followers that they have gathered around them in their march of victory. Outside of the Black Republican party, and opposed to it, we find the still powerful Democracy and the remains of the old Whig organization. But Northern opposition to sectionalism is spiritless and passive from its own anti-slavery prejudices, and discouraged and cast down by the triumphant progress of the Black Republicans. How, then, to break the alliance between the fanatics and the politicians—between the hatred of slavery and the love of self? How to open the eyes of the popular masses in the Black Republican party to the destructive tendencies of their sectional organization? How to strengthen the arms of our Northern friends, and give life and activity to the hitherto too passive opposition to sectionalism? With the Black Republican leaders, politicians and office-seekers, nothing can now be done, while the star of their political fortunes seems in the ascendant. Let it wane, and they will haste from their sinking ship, scattered and dispersed by the same self-interest which now holds them together. The work, then must begin elsewhere—with the thousands of honest voters they control—with the conservative opposition they have dismayed and disheartened. But the selfish principle of our nature, we may be assured, gives the law to communities no less than to individuals. Let, therefore, the great body of the Northern people, both inside and outside of the Black Republican organization, be made to see and feel, in its true character, and in all its magnitude, the impending danger to the Republic and to their own best interests—and our battle will be won; passion will be enlisted against passion; the love of money, as well as the love of Union, will fight upon our side, and even fanaticism will wage an unequal war when brought in conflict with the universal passion of the almighty dollar.

There are three modes then of acting upon the mind of the Northern people: First—by arguments, addressed to their reason; second—by measures of retaliation, like that before us, attacking their interests; and third—by action,

compelling them to see and choose between the alternative of desisting from aggression on the one hand, and destroying the Union on the other.

Of the first mode, there was an example, worthy of imitation, in the noble argument made by Mr. Hunter, a short time since, in the Senate of the United States, better calculated than any I have ever read to do good in the North, and scatter to the winds the insidious fallacies of Seward. Much might be done if with such arguments, our gifted speakers of the South would go Northward in the coming canvass, and meet the lion of Abolitionism in its den, vindicating our institutions while demanding our rights. But more than argument is needed in reply to wrong and outrage. Nor is their reason to hope that the first mode of influencing public opinion in the North would avail us without the aid of the two last.

To make the two last modes availing, we must have that united South which it is the object of the proposed Conference to secure.

As to the second mode, there could be no better illustration than in the measure before us of the necessity of a united South to make Southern retaliation effective for the redress of our wrongs. More than any other, this is purely a measure of retaliation. It commends itself to my support simply because it strikes a retaliatory blow at the interest of our assailants. It may, indeed—should the South be driven from the Union—better prepare us for Southern independence; but rather, I hope, by encouraging foreign importations than by building up great manufacturing interests in Virginia. Let us offer no discouragement to the growth of manufactures; but let them not be the forced production of artificial stimulation. I would pass laws, if I could, to whiten the sea with our sails; but not to fill our atmosphere with the smoke of factories. In the spirit of old Fabius Maximus, "let us leave to the Tarentines, their angry gods;" let us leave to Old England and to New England their hives of suffering humanity, their Manchesters and Lowels, their Chartist mobs and "labor strikes," their social evils, in the present, and their alarming social problems, in the future, as population shall press more and more upon the means of subsistence. But let us seek to go—in our own ships, manned by our own hardy sailors—to all the markets in the world, buying where we can buy cheapest, and selling where we can sell dearest. In the Union or out of the Union, let us have those measures, as a permanent State policy, which are wisely framed to give us direct trade and healthy exchanges,

and free us from commercial and financial vassalage to the North. But, surely, it can never be the permanent policy of Virginia, ever battling as she has, in the past, against the principle of protection, to engraft it in her legislation at a time when even France wisely abandons it; to foster one class of interests upon her own soil at the expense of the rest—filling her towns with thousands of Northern mechanics and manufacturers, and importing from New England into her borders the war of labor and capital, if not the irrepressible conflict of Seward. Regarding the bill before us, then, simply as a blow of retaliation for wrong, its efficiency in causing the wrong to cease must depend upon the amount of injury it inflicts; and history and common sense alike inform us that, if we would conquer enmity by a blow, we must strike one—hard and overwhelming. But it is not in the power of Virginia alone to strike such a blow. As was truly said by Mr. Memminger, the distinguished Commissioner from South Carolina, in his powerful address, “what benefit would result from non-importation into Richmond and Norfolk if Edenton and Newbern and Beaufort received Northern goods as before?” Besides, as in the case of England and the United States before the war of 1812, the New England States would perceive that Virginia suffered like themselves; and the contest would again be which could hold out the longest. They could strike back at Virginia; but woe to them if they struck back at South Carolina! They could do without the tobacco of Virginia and Kentucky; but their whole social fabric would tumble into ruins without the cotton of the South! Could we close the Virginia market to Northern goods, how small is that market when we compare it with the whole market of all the cotton States? According to the altogether reliable facts and estimates contained in the recent speech of Senator Hunter, it appears that the navigating interests of the Northeastern States derive annually between thirty and forty millions of dollars from their freights on Southern commerce; that the annual consumption of their manufactures in the South is not less than \$480,000,000; and that between three and four millions of persons in these States owe their livelihood and subsistence to the trade of the South. Let the other Southern States unite with us, then, in the non-intercourse policy which this measure proposes to inaugurate in Virginia, and more than five hundred millions of dollars will be annually kept back from Northern pockets which they have been accustomed to receive, and more than three millions of human beings in the North will be deprived of

their means of livelihood! Such a blow as this might well stagger the cohorts of Abolitionism, and awaken the "sober, second thought" of the masses of the Northern people both in and out of the Black Republican ranks. But this deadly blow can only come from the irresistible arm of a united South.

No less, if we would act by the third mode indicated, upon the mind of the Northern people, do we need a South firmly united in measures to protect and defend her rights. We want union in non-intercourse measures to awaken them to their interests—union, in preparation for war, to awaken them to the danger of the Republic. Virginia, alone, may arm for battle; her separate action attracts no attention—excites no alarm. But let all the Southern States "adopt a regular plan of opposition in which they can combine all the resources of the community;" let them, in pursuance of this plan, organize and arm the military forces of the South, and go to work, building forts, armories and powder mills—and the Northern people will then be made plainly to see that they must choose between Southern equality in the Union and Southern independence out of it.

But how can we effect a result so desirable? How shall we have the South united in a common policy of retaliation and defence against Northern aggression? Is not the proposed Conference of Southern States the simplest, the most natural, the most appropriate means of securing a united South? It may, indeed, fail to accomplish this object. The Commissioners from the several States, when they meet in Conference, may be unable to agree in recommending a concerted policy—"a plan of opposition." If they do, their recommendation may not be adopted. For each State, through its own separate organism, would have to accept or reject the policy proposed by the Conference. Even if it fail, then, to unite the Southern States upon a well devised scheme of common measures to protect and defend their common rights and interests, it will be but a harmless, if a fruitless effort, to reach by proper and legitimate means, a result of sufficient importance to warrant us, if need be, in risking much to accomplish it. Let Virginia go to the Conference, and other States that now hold back will follow her. All may not be there; but enough will be there, if Virginia accede to it, to give to their united counsels and united action, should such be its happy result, an imposing weight of moral influence on the States that are absent. In that first American Conference, before referred to, which was followed, within four months, by the repeal of the Stamp Act, four out of

the thirteen Colonies were absent; but, no less than the other nine, did they sanction what was done. If we unite but a part of the Southern States in concerted measures of retaliation and defence, how much better is this than acting singly! And the concerted action of part may lead eventually to the concerted action of all. Thus, by conferring among ourselves, we *may* get that union of the South which will save the Union of our fathers. Is it not, at least, worth the trial?

We have now, alas, at a time when it is needed, not for the cause of the injured South alone, but for the safety of our whole country and the cause of free institutions everywhere, no union of counsel, no concert of action among the Southern States. And why? Partly from the malign influence of party strife, but mainly because our deep loyalty to the Union has made us patient under wrong, and, in the past, as in the present, has paralyzed by cries of "*disunion*"—"*disunion*"—every manly effort that has been made to bring the South together in some plan of resistance. More than twenty years ago, a gifted son of South Carolina distinctly saw, with statesman's vision, the true character of that danger which John Brown and his sympathizers have at this day unveiled to all eyes with a flood of light; and he was called traitor and disunionist, simply because he warned against it—because, during a long period of public service, he urged it upon the whole country, with an ability and patriotism never surpassed, that "the agitation of the subject of slavery," to use his own language, "would, if not prevented by some timely and effective measure, end in disunion." Had we profited by the light which his genius shed over the future, we would have steered far away from the troubled sea into which we have drifted. For there has never been a time since the anti-slavery crusade begun, when a united South would not have arrested Northern aggression, and saved the country by awakening the mind of the North to a sense of its danger. But instead of the mis-called "*disunion*" policy of Mr. Calhoun, which would, long since, have given peace to the country, we have had the mis-called "*union*" policy of his opponents. We have had a sad history of divided counsels; of concessions ever begetting aggressions; of compromises in which we have always been worsted; and of "*settlements*" of the slavery question which have never failed to be afterwards unsettled and washed away by the advancing waves of fanaticism. Hence it is that the Northern people fail, even now, to understand the temper of the Southern mind, and are yet incredulous that

the South is in earnest. Their Black Republican leaders proclaim that we are not; that the South will temporize again as the South has temporized before; that the talk of Southern resistance is unmeaning bluster,—the note of Southern preparation, idle bravado; and that we “cannot be kicked out of the Union.” The Democratic and conservative leaders in the North say otherwise; and some of them, that we have cause for resistance. Which shall we sustain—our friends or our enemies?

If we go to the Conference, we seek, at least, and may seek successfully, a united South, with its vast moral and material influences upon both sections of the country. Let us refuse to go: we show a South, divided; and soon will that sad spectacle of a divided South swell the ranks of the Black Republicans and stop the conservative reaction which is thought to have commenced at the North since the recent invasion of Virginia. If the refusal of a Northern Church to sit in religious conference with a Southern Church tells such a tale of deadly discord, what shall be said of the refusal of Virginia to sit at the same council-board with South Carolina and Mississippi? What right will we have to talk of the “South” as a collective noun, if the elements which make up the “South” are so heterogeneous and discordant that not even the stress of a common peril can bring them together? Can Virginia expect that her retaliatory and defensive policy will be imitated by States that have been repulsed when they offered their sympathies and invited our counsels? And what hope that the cotton States will unite with the border States in striking a paralyzing blow at the manufacturing interest of New England, when our refusal to confer with them is calculated to produce alienation and distrust, and draw a fatal “geographical line” between these two classes of States in the bosom of the South itself?

If, then, we would secure the fruits of a united South, and avoid the evils of a South divided, let us cordially accept the invitation of our friendly Southern sisters.

Thus have I sought to show the danger to the Union resulting from the combined operation of two causes, and that, by removing one of these causes, which is yet within our reach, safety may be restored. The anti-slavery sentiment of the North being the primary source of the danger, and the threatened hostile rule of one section by the other being the form in which it is now near and immediate, I have sought to show—analyzing the anti-slavery sentiment of the North into its elements—that there is yet hope of

arresting the fatal progress of sectionalism, through the powerful operation upon the Northern mind of concerted measures of retaliation and resistance by the slaveholding States; but that a united South is needed to make the action of the South thus happily effective upon the public opinion of the North; and that the proposed Conference is the best means of securing this united South—its rejection, the herald of a South divided.

The Conference policy, then, if successful in bringing about a union of the South, will save the Union in the only way in which it is possible to save it, by putting an end to the source of all our troubles. Until this is done, we float on a stormy sea, and may, at any moment, break to pieces. New insults and wrongs from Northern Governors and Legislatures—the inevitable operation of the unconstitutional laws they have already enacted—more of mob violence and outrage upon our citizens—another raid upon our soil—may precipitate us into disunion, even while the Federal Government is not yet in the hands of the abolitionists. Combustible elements surround us which an accidental spark may kindle—and what power can then stay the flame? There are those in the South now ready for secession; and we are told that they desire this Conference itself as a means of accomplishing their object. It is true, perhaps, that there are many in South Carolina and elsewhere, not so hopeful as we are in Virginia: they think they see the handwriting on the wall, and that the days of our Republic are numbered. Yet, no less joyfully than ourselves, would they hail the return of an equal union. Can we not convince them they are mistaken, and give the boon of this equal union through the action of that Conference which they would convert, we are told, into an instrument of secession? If such be their object, the greater the reason for Virginia's attendance. For the Conference, there is every reason to believe, will now be held, with or without Virginia; and the absence of Virginia will make it abortive for good—may make it potent for mischief. It is an argument of those who favor secession, that the cotton states should secede first, without waiting for the co-operation of the border States; that a border State ought never to be expected to lead in such a movement, because there must always be, in such a State, a timid minority, strong enough to paralyze the will of the majority; but that if the Southern tier of slaveholding States would secede first, they would have nothing to fear from border feuds, and be protected, by a friendly intervening territory, from the Northern States and the still re-

maintaining Federal power; that the non-seceding States, left in a hopeless minority, in the Federal Government, would be soon compelled, by additional measures of outrage and spoliation, to join the Southern Confederacy; and that even Maryland, too, would have to come in, to save the commerce of Baltimore. What better calculated, let me ask, to strengthen such an argument, and to expose the Union to the danger of such a policy's being adopted, than that this Conference should be made a conference of the cotton States alone by Virginia's refusal to go to it? If, indeed, disunion be the design of the Conference and the cotton States alone can effect it, then Virginia should haste, even without invitation, to an assembly in the result of whose deliberations she has an interest so vast.

But I pass from the argument for the Conference, considered only in its bearing on the union of the States, and hasten to a close. The Union being but a means to an end, there are other objects of even higher importance than its preservation, which is not, under all circumstances, the greatest of goods, nor its dissolution, under all circumstances, the greatest of evils. It is recorded of the greatest of ancient orators, that, in those noble orations which have given him an immortality of fame, "he does not exhort his countrymen to that which is most agreeable or easy, or advantageous, but points out honor and propriety as the first object, and leaves the safety of the State as a matter of secondary consideration." But he knew well that the course of honor and propriety for a state, was ever, in the end, the course of safety: and thus it now happens that the policy which I have endeavored to show, will save the Union, is the same policy which honor and propriety demand of us.

In such an emergency, a timid, temporizing policy would be unworthy of Virginia. There is not a page of our revolutionary history that would not rebuke us. We cannot, if we would, withdraw ourselves into any quiet eddy for shelter and safety, while the waves meet in conflict around us. A haven of refuge is nowhere to be seen on the angry sea. The winds are let loose, and we must prepare for the storm. There may be times, but this is none, for "masterly inactivity." And nobly has Virginia initiated action.—Leaping over intermediate stages of preparation, we have begun where our fathers ended. They conferred first and armed afterwards. It was six months after the meeting of the Congress of '74, that Patrick Henry, in the old church of St. John's, still standing in this city, offered to the Virginia convention of '75 his famous resolutions for arming the

militia. And we are told that the Assembly was so startled by their boldness that "the shock was painful;" and that it required all the eloquence of Henry, in the noblest speech of his life, to carry them against the warm opposition of patriots like Bland and Harrison, and Pendleton, and Nicholas.—But we, without waiting for conference, as did our fathers, have almost unanimously voted half a million for arms and an armory. It is an act of the deepest significancy; it is the first act in the drama of war—this arming for battle; and whenever it is done by any of the great European States, then, and not till then, do the funds tumble down in all the cities of Europe. If, then, the crisis really demands what we have done already, surely there was never a time when more we needed joint counsels and that "concerted action" of the Southern States for which Virginia pronounced in her resolutions of 1847, and again in her resolutions of 1849. If, on the other hand, the danger is too light to call for any concert in council or in action, then we have needlessly squandered the money of our constituents, and should repeal the armory bill, if we reject the Conference.

For weal or for woe, our fortunes are cast with our sister States of the South. They have followed our lead in the past. Again, they invite it, to-day, in the hour of our common peril. Shall we now surrender it forever, and change their love and confidence into distrust and suspicion? They will scorn our dictation, if we refuse to consult with them. They will construe our refusal into fear of our enemies or distrust of our friends and ourselves: and in or out of the Union, the moral *prestige* of Virginia, of such priceless value in the past, will be lost in the future.

It is no unusual thing for sovereign States to confer through their commissioners; but it is an unusual, I am not sure it is not an unprecedented thing, for one State to decline a conference when it is asked by another, whether that other State be friendly or hostile. For thus it is that even unfriendly States peacefully settle their quarrels by conferring on the subject of dispute. How can we decline, then, to confer with friendly States as to the best mode of guarding a common interest against a common danger?—How, above all, can we unkindly repulse such an invitation as that which first eloquently came to us from a loving sister State, which, in all our past, has ever stood firmly by our side in every trial and on every field—which has even yielded up her judgment and retraced her action in deference to the wishes of Virginia? Shall it be only because she shows herself still true to the traditions of her ancient glory, still

imbued, even in the nineteenth century, with the spirit of Gadsden and Henry? It is that "warm-heartedness" of South Carolina which gave us, says Bancroft, the American Union, that brings her here to-day, and which would yet restore and preserve the same Union which it contributed to form, could the spirit of South Carolina be, at this time, the spirit of Virginia, and of our whole Southern country. If she has been in favor of meeting the danger half way, has it not been one of that class of dangers which ought to be so met, lest, as Lord Bacon says, if we watch too long upon their approaches, it is odd, they will find us asleep? It has now come close upon us, at last, when, if not asleep at our posts, we are still unprepared to meet it.

A conference of the State aggrieved is but one step, an important one, towards the preparation which we need—not as a substitute for separate State action, but to make separate State action effective; not to substitute for measures, as we are told, an ultimatum of words, but to proclaim, if successful, a common ultimatum through the common measures of all. The crisis, indeed, demands something more than brave resolutions on paper; but, surely, there is a point at which Southern submission will cease; surely, the South *has* an ultimatum, and will not be free from responsibility, if disunion ensue, because she fails to pursue such course as will make the North see that she has one, and know what it is. Let the Southern States first confer with and understand one another, and then the North and the South may come to a timely understanding ere it is yet too late thus to save the Republic. Let the slaveholding States have union of counsel and concert of action, and then, if unhappily driven from the Union by wrong and oppression, their united secession would be imposing, would probably be peaceful, and, with favoring Providence, a firmer and better union might come, at last, from the womb of disunion itself. It sometimes happens, when the machinery of a government is disordered, that it is necessary to make it stop and stand still, before we can repair it successfully. It was thus, by seceding to *Mons Sacer*, that the Roman plebeians were enabled thence to dictate terms to their masters, and obtained the power of protecting themselves, through the veto of their tribunes, against patrician oppression. And thus, too, the seceding South, if firmly united, might, perhaps, from beyond the Union, successfully demand the rights hitherto denied us, or, some similar veto with which to protect ourselves against the sway of a section.

But whatever the result, and however disastrous, no part of the responsibility will rest upon us, unless we invite the danger by our timidity and our divisions. The future is hid from our vision, and it may be useless to speculate on the scenes it will disclose. But, about the path we should follow, there is neither doubt nor obscurity. The holy instinct of self-preservation will be our guide and justification in concerted resistance to wrong. We can have no better or wiser policy, than simply to be true to ourselves, and to those great laws of our nature, which require us, regardless of consequences, and by every means in our power, to guard and defend our honor, our rights, and our interests, whenever and wherever they may be threatened or assailed.



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